

CLOSED, HABEAS, PaperDocuments

**U.S. District Court
District of Delaware (Wilmington)
CIVIL DOCKET FOR CASE #: 1:05-cv-00654-JJF
Internal Use Only**

Roane v. Carroll et al
Assigned to: Honorable Joseph J. Farnan, Jr.
Cause: 28:2254 Petition for Writ of Habeas Corpus (State)

Date Filed: 09/06/2005
Date Terminated: 10/17/2006
Jury Demand: None
Nature of Suit: 530 Habeas Corpus (General)
Jurisdiction: Federal Question

Petitioner**Kyle Roane**

represented by **Kyle Roane**
SBI #250352
Delaware Correctional Center
1181 Paddock Road
Smyrna, DE 19977
PRO SE





V.




















Respondent**Warden Thomas Carroll**

represented by **Thomas E. Brown**
Department of Justice
820 N. French St.
Wilmington, DE 19801
(302) 577-8400
Email: thomase.brown@state.de.us
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Respondent**Attorney General M. Jane Brady**

represented by **Thomas E. Brown**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/06/2005	 1	PETITION for Writ of Habeas Corpus - filed by Kyle Roane. (Attachments: # 1 Exhibit to Petition)(dab,) (Entered: 09/07/2005)
09/14/2005		Case assigned to Judge Joseph J. Farnan, Jr. Please include the initials of the Judge (JJF) after the case number on all documents filed. (rjb,) (Entered: 09/14/2005)
10/04/2005	 2	ORDER, granting request to proceed inform a pauperis and notifying petitioner that AEDPA applies to petition. Petitioner must file attached election form with the court. (Copy to pet. with Mag. Consent Form & AEDPA Form) Notice of Compliance deadline set for 11/3/2005. Signed by Judge Joseph J. Farnan, Jr. on 10/04/05. (Attachments: # 1 aedpa)(afb,) (Entered: 10/06/2005)
10/04/2005	 3	Petitioner's Brief filed by Kyle Roane. (Attachments: # 1 (redacted) Exhibit A# 2 Exhibit B# 3 Exhibit C)(afb,) (Entered: 10/07/2005)

10/04/2005	  4	(SEALED) EXHIBIT A to Petitioner's Brief (D.I. 3) filed by Kyle Roane. (afb,) (Entered: 10/07/2005)
10/21/2005	 5	AEDPA Election Form filed by petitioner and requesting to rule on 2254 as currently pending. (afb,) (Entered: 10/25/2005)
10/21/2005	 6	ACKNOWLEDGEMENT OF RECEIPT for AO Form 85. Acknowledgement filed by Kyle Roane. (afb,) (Entered: 10/25/2005)
10/31/2005	 7	ORDER, Clerk shall serve by certified mail a copy of the petition and brief, (D.I. 1; D.I. 3), the order dated 10/04/05, (D.I. 2), the AEDPA election form, (D.I. 5), and this order upon the Warden and the Attorney General. Within 45 days of receipt, respondents shall respond as directed. (Copy to petitioner, Warden & AG). Signed by Judge Joseph J. Farnan, Jr. on 10/31/05. (afb,) (Entered: 11/02/2005)
11/03/2005		Remark: clerk sent by certified mail copies of petition (D.I. 1), brief (D.I. 3), order dated October 4, 2005 (D.I. 2), AEDPA form (D.I. 5), order (D.I. 7) to Warden and AG of the State of Delaware. (afb,) (Entered: 11/03/2005)
11/04/2005	 8	Postal Receipt(s) for the mailing of process to Thomas Carroll (afb,) (Entered: 11/07/2005)
11/04/2005	 9	Postal Receipt(s) for the mailing of process to Loren Meyers. (afb,) (Entered: 11/07/2005)
11/07/2005	 10	Return of Service Executed by Kyle Roane. Thomas Carroll served on 11/5/2005, answer due 12/20/2005. (afb,) Modified on 11/9/2005 (afb,). (Entered: 11/08/2005)
11/07/2005		Set/Reset Answer Deadlines: Thomas Carroll answer due 12/20/2005 per D.I. 10. (afb,) (Entered: 11/09/2005)
11/08/2005	 11	Return of Service Executed by Kyle Roane. Loren Meyers served on 11/7/2005, answer due 12/22/2005. (afb,) Modified on 11/9/2005 (afb,). (Entered: 11/08/2005)
11/08/2005		Set/Reset Answer Deadlines: M. Jane Brady answer due 12/22/2005 per D.I. 11. (afb,) (Entered: 11/09/2005)
11/09/2005		CORRECTING ENTRY: Answer ddls. updated. Thomas Carroll answer ddl. 12/20/05 per D.I. 10 and Loren Meyers answer ddl. 12/22/05 per D.I. 11. (afb,) (Entered: 11/09/2005)
12/21/2005	 12	ANSWER to Complaint by Thomas Carroll, M. Jane Brady.(Brown, Thomas) (Entered: 12/21/2005)
12/21/2005	 13	NOTICE of filing the following document(s) in paper format: Certified State Court Records. Original document(s) on file in Clerk's Office. Notice filed by Thomas E. Brown on behalf of Thomas Carroll, M. Jane Brady (Brown, Thomas) (Entered: 12/21/2005)
12/21/2005	 14	STATE COURT RECORD (Record on file in Clerk's Office) (afb,) (Entered: 12/23/2005)
01/09/2006	 15	Petitioner's REPLY BRIEF filed by Kyle Roane. (Attachments: # 1 Reply Brief Part 2) (afb,) (Entered: 01/10/2006)
02/27/2006		(Court only) ***Set Paper Documents Flag (rbe,) (Entered: 02/27/2006)
10/16/2006	 16	MEMORANDUM OPINION RE: DI #1. Signed by Judge Joseph J. Farnan, Jr. on 10/16/06. (dab,) (Entered: 10/17/2006)
10/16/2006	 17	ORDER re 16 Memorandum Opinion DISMISSING 1 Petition for Writ of Habeas Corpus filed by Kyle Roane and relief therein is DENIED. Court declines to issue a certificate of appealability because Petitioner has failed to satisfy the standards set forth in 28 U.S.C. 2253 (c) (2). Signed by Judge Joseph J. Farnan, Jr. on 10/16/06. (dab,)